CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND FORTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva
on Thursday, 15 August 1996, at 10.00 a.m.

President: Mr. Urrutia (Peru)

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The PRESIDENT (translated from Spanish): I declare open the 745th plenary meeting of the Conference on Disarmament. The list of speakers for today includes the distinguished representatives of Seychelles, Chile, Bangladesh, Cuba, Iran and Turkey. I now call on the distinguished representative of Seychelles, Mr. Iseux.

Mr. ISEUX (Seychelles): Sir, since it is the first time that I take the floor for a general statement, allow me to congratulate you on your assumption of the office of President of the Conference on Disarmament at this crucial juncture of its efforts to complete a good CTBT. Allow me again to thank representatives for accepting the Republic of Seychelles' participation as observer in the work of the Conference. We are living a significant page of history. The last debates prove that the Conference on Disarmament constitutes the first real strategic forum after the demise of the Soviet Union: a sort of microcosm of what might happen in the future in the field of military strategy. What is being decided here will be decisive for generations to come. We have not to miss this incredible opportunity to pave the way for a better world.

I wish to take this opportunity to inform the Conference of the official reasons for the Republic of Seychelles to participate in the work of this assembly. I shall read a letter written by the Seychelles Minister of Foreign Affairs and addressed to the former President of the Conference on Disarmament:

> "The Republic of Seychelles, though not a member of the Conference on Disarmament has been following with much interest the evolution of the situation. We have noted that in all likelihood the comprehensive test-ban treaty will be signed later. Indeed, all signs seem to point in that direction.
>
> It is in this context that we would like to propose a site in Seychelles for the (international) monitoring system involving a seismic (station) for the detection of nuclear detonations. (...) The position of Seychelles is ideal for such a site (in the Indian Ocean) as can attest international experts participating in the conference (our station already participated in the GSETT-3 experiments).
>
> We do understand that the Ad Hoc Committee has already made its selection of sites for seismic stations. Our proposal, however, could still be considered within the framework of the Preparatory Commission. (...)
>
> Above all, the Government of Seychelles looks forward to playing its role in the search for world peace, and will contribute to this noble ideal by whichever way it can. (...)"

In my capacity as the new permanent representative and former nuclear scientist, allow me also to give an assurance that I am doing my best to make the most positive possible contribution to the progress of the Conference. I came late, but with fresh and objective eyes which can be crucial, especially

(Mr. Iseux, Seychelles)

in the latter stage of a difficult negotiation. As observer in the Conference, and because of our neutrality, we can play an important role as mediator "behind the scenes". For historical reasons we are in an ideal position to effectively negotiate with Asian countries and within the Indian Ocean rim community. In the future we intend to actively participate in the Preparatory Commission and the CTBT Organization in Vienna. On 11 April 1996, Africa signed the Pelindaba Treaty in Cairo. The Seychelles supported this treaty and therefore de facto supports the work of the Conference on Disarmament in Geneva. But, I feel it is also fair to recognize that certain countries have sufficient legitimate reasons to worry. Without touching the draft of the CTBT, it would be wise to give some sort of agenda for the effective implementation of the CTBT and the organization of measures to stop any qualitative improvement of nuclear weapons (a timetable, for example, subject to renegotiation in Vienna). The ideal would be that the participating nuclear States give a solemn declaration not to engage in any further qualitative nuclear tests either by simulation or by other techniques.

I also wish to take this opportunity to raise a more personal viewpoint. I am surprised to note that the CTBT does not appear to be an act of nuclear disarmament, but more an act to secure existing nuclear armament. Therefore, disarmament becomes a question of honour. In this situation, there is no ground for healthy negotiations at the present stage. The CTBT should give birth to an organization, not a select club of five nuclear States who already appear to be the five major conventional arms-exporting countries.

By far the youngest permanent representative here, I feel truly committed to the long-term concept of disarmament. And I also feel that a step-by-step approach to disarmament is necessary. I sometimes wonder if the post-second-world-war Powers are not trying to postpone the inevitable outcome of the post-cold-war transition period: namely a refusal to acknowledge the new international order, with Asia on one side and the Atlantic on the other. In this framework, the disagreements over disarmament are fundamental and bypass the very subject of the Conference. With the countries presently opposing the treaty we can clearly see the emergence of a new form of non-alignment. To conclude: either a limited consensus and a confirmation of the past, or a comprehensive agreement and a treaty worth for ever. Today is the independence day of a noble and beautiful country; please let's make sure that tomorrow remains as peaceful as today.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Seychelles for his statement and for his kind words. I now call on the distinguished representative of Chile, Ambassador Beguño.

Mr. BEGUÑO (Chile) (translated from Spanish): Mr. President, allow me to express my delegation's great pleasure and my personal satisfaction at your skilful conduct of our discussions and to reassure you of my appreciation and willingness to cooperate with you.

I would like to refer to some of the factors contributing to the uncertainty surrounding the outcome of the consultations that have been going

(Mr. Bequño, Chile)

on in the search for the consensus necessary for sending the draft CTBT from the Conference on Disarmament to the United Nations General Assembly. It is absolutely essential that this objective be attained in a proper and timely manner. The raison d'être of the Conference on Disarmament, its political credibility, its institutionality and its connection with the corpus of questions relating to disarmament as well as with the United Nations system would be jeopardized if we proved incapable of acting. It is imperative that the Conference finds the means to enable the fruit of its labours to be examined by the Assembly. The basic premise on which an agreement can be built is the interest of each and every one of the members of the Conference on Disarmament in preserving, strengthening and improving this single multilateral disarmament negotiating forum.

Today as before we consider nuclear tests as acts incompatible with international law and we therefore call for their immediate cessation. The testing of a weapon whose use or the threat of whose use is, as the International Court of Justice recently declared, unlawful cannot be justified in any circumstances. It is, as the Ambassador of Mexico to the United Nations at New York has said, regrettable that the Court did not pursue its argument to its logical conclusion.

Our point of departure is the source of the obligation. For Chile, the Antarctic Treaty and the Treaty for the Prohibition of Nuclear Weapons in Latin America constitute the treaty source. The signing of the comprehensive nuclear-test-ban treaty will merely add the obligation in the second paragraph of article I not to cause, encourage or participate in any test in non-jurisdictional areas. Nevertheless we consider that this obligation already exists, and for the entire international community, as a rule of customary international law.

To allude to guiding principles is not to detract from the importance of an instrument whose political and technical machinery will help the whole international community to assume responsibility for and vigilance over its rules. The shortcomings that exist in the non-proliferation regime will be remedied through a fair, equitable and effective procedure. The Copernican revolution initiated by the Chemical Weapons Convention will gain strength. The cause of disarmament will have gained the impetus to be able to move to a higher stage. To advance in a common direction, to have the feeling that beyond our legitimate differences we are anchored in the same belief, to leave behind once and for all an era of sterile immobility, these are noble aspirations that we must not give up. What is at stake now is not the CTBT as such, despite the years the concept has been ripening, but the very future of international disarmament negotiations, which can only prosper in a climate of mutual trust.

The Government of Chile is prepared to participate in the treaty with a network of stations to monitor the huge Pacific-Antarctic sector that lies off Chile's coasts. In emphasizing our unlimited support for the total elimination of nuclear weapons, we cannot fail to mention our disappointment at some of the shortcomings of the result of the negotiations. We think that,

(Mr. Beguño, Chile)

while perfecting the texts may not be feasible, there can and must be more clarity through complementary understandings that will strengthen the basic obligations of the treaty at their roots.

Comments have been made concerning article XIV of the draft; their significance should be made clear so as to narrow our differences. Attention has been drawn to the risk of not getting all the required ratifications and it has been said that sovereign States cannot be obliged to participate actively in an agreement whose terms do not satisfy them fully. The absence of full consensus highlights the unfulfilled aspects of our task, but it does not invalidate the essential purpose, because no State can oppose the aim of a universal treaty. The time-frames envisaged for entry into force are excessively long and means will have to be found to reinforce the obligation of all States not to infringe the treaty's purpose of complete prohibition at any time between now and the date of full entry into force. The regime for entry into force should be linked to express rules for the interim period. Austria has advocated provisional application and Chile has asked for the incorporation in the text of the moratorium that we supported in the General Assembly and which has now been accepted by the five nuclear-weapon States. We hope that these States will in due course formulate a specific and clear statement concerning their intentions with regard to signature and ratification. We propose that all States that are in a position to do so should declare their willingness to respect the basic obligations of article I of the future treaty from the very signing of the instrument.

Article IX merely reproduces the imperfect language of previous treaties. We hope that the imprecision in the drafting will be overcome by the application in good faith of this article so that it will become firmly established in people's minds that the treaty is not only permanent and indefinite but cannot be suspended at any point in time or in any circumstances. Similarly, our understanding is that a State that exercises its right to withdraw from the treaty will not thereby diminish the obligations acquired pursuant to other treaties, in particular the obligations imposed by the Partial Test Ban Treaty, and that the Executive Council of the Organization will be competent to ask for the convening of a special session of the Conference if it thinks that the withdrawal of a State party affects the operation of the treaty.

Above and beyond the questions of interpretation, there is the question of the suitability of the contents of the preamble, which exhorts us to pursue systematic and progressive efforts with the ultimate goal of eliminating nuclear weapons and bringing about general and complete disarmament. If some people are not unreasonably of the view that such provisions could be more explicit and others think that the text reflects a fair balance between opposing views, would it not be more productive to concentrate the attention of the Conference on Disarmament on the action that we must necessarily take to be true to the intentions expressed in the preamble that we have been able to agree upon as a minimum consensus?

The distinguished Ambassador of Egypt has introduced a document that sets forth a programme of action for the elimination of nuclear weapons. This

(Mr. Beguño, Chile)

exercise is at the point of convergence of other important international efforts. On the anniversary of the tragedy of Hiroshima, the Minister of Foreign Affairs of Chile said that the best commemoration of that tragic event would be progress towards the total banning of nuclear weapons. Following the publication of the report of the United States Stimson Centre entitled "An evolving United States nuclear posture", that Centre's President spoke at the Hiroshima conference of a gradual approach to the reduction of nuclear arsenals. The Canberra Commission after holding its last working session in Geneva has submitted to the Prime Minister of Australia recommendations for a series of immediate and realistic measures and subsequent measures to promote progress towards a world free from nuclear weapons and threats. These and other relevant initiatives could enrich and improve the procedure outlined in the document submitted to the Conference on Disarmament. The elements, time-frames, categories, sequences and time-limits might be questioned. Certainly there are actions that can only be undertaken by particular States unilaterally, bilaterally or regionally. To include them in the list of actions to be carried out, as has been done in the 28-country document and in the report of the Canberra Commission, does not imply any preconception as to the timeliness, emphasis or scope of these actions. What is important is that, pursuant to the understandings enshrined in the preamble of the future treaty, the activities of all interested States should contribute to the common endeavour, the systematic and progressive process that will lead to nuclear disarmament.

This profound commitment to a systematic and progressive process entails giving thought to the suitability of the chosen instrument, the multilateral forum that the Conference on Disarmament claims to be; to its still outstanding expansion pursuant to the General Assembly resolution; to its agenda which, despite the efforts of the Ambassador of Algeria, has yet to be established; to its methods of work, and to a matter to be discussed at the fourth special session of the General Assembly devoted to disarmament, its place on the global disarmament scene. In considering what decision to adopt concerning the transmission of the test-ban treaty to the United Nations General Assembly we shall be opting for a demonstration of faith in the future of this Conference on Disarmament or contributing to the abdication, with very dire consequences, of its duties.

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador of Chile for his statement and for his kind words to the Chair. I now give the floor to the distinguished representative of Bangladesh, Ambassador Hashim.

Mr. HASHIM (Bangladesh): Mr. President, taking the floor toward the close of your term of office, I would like to convey to you, on behalf of the Bangladesh delegation, our warm felicitations on your skilful conduct of the deliberations of the Conference on Disarmament at this crucial final phase of the comprehensive test-ban treaty negotiations. For Bangladesh, your presidency has provided us with the house-warming phase in the CD as we moved from observer status in the wings to full membership of this sole multilateral negotiating body on disarmament matters.

(Mr. Hashim, Bangladesh)

At the end of the second part of this year's session of the Conference, the Chairman of the Ad Hoc Committee on a Nuclear Test Ban presented the draft text of a possible CTBT, considering that, in his understanding, the potential for convergence on certain crucial issues had peaked without there being any possibility of resolution. We had joined our voice with 27 other members of the Group of 21 to express our regret that the CD had not been able to agree on a final text by 28 June and to say that we looked forward to the continuation of the negotiations when the session resumed for the third part.

Bangladesh remains committed to striving for the finalization of a CTBT. This commitment is rooted in the fundamental principle of our State policy to pursue "the renunciation of the use of force in international relations and for general and complete disarmament", as set forth in the Constitution of Bangladesh. We ardently hope that the CD will be able to finalize agreement on a truly comprehensive nuclear test-ban treaty in time for transmittal to the United Nations General Assembly.

This would require a readiness to address concerns that the draft treaty as presented, apart from lacking in comprehensiveness, also does not address, some crucial issues highlighted by a good number of delegations. This is however, not to undermine the commendable efforts made by Ambassador Ramaker and the diligence with which he persevered in his challenging task as NTB Committee Chairman. His text has been able to capture much of the emerging consensus, although we feel that in the true spirit of negotiating a final outcome, the Conference could perhaps have proceeded during the second part of its current session on the basis of the rolling text, which we feel would have been the most plausible, and indeed, efficient mode to guarantee progress towards attaining consensus. Nevertheless, we consider document CD/NTB/WP.330/Rev.1 to be a good basis on which further negotiations can, and ought to, be pursued in right earnest and without delay.

The finalization of a comprehensive nuclear test-ban treaty has long been a demand of the non-aligned movement. We see a CTBT as a step towards achieving total disarmament. Therefore, like many in the Group of 21, we feel that there is an overriding need to place the CTBT in the broad frame of nuclear disarmament. In the absence of such a frame, the CTBT would be little more than a blind-alley instrument of nuclear non-proliferation, with the only qualitative distinction being a cap on testing by the nuclear-weapon States. For a non-nuclear-weapon State party to the Nuclear Non-Proliferation Treaty (NPT) like Bangladesh, such a limited scope treaty can have little meaning. As a party to the NPT, our renunciation of the option for acquiring nuclear weapons is unequivocal, and since last year's Review Conference it is formally effective for an indefinite period. This renunciation is not born of the desire to seek protection under the nuclear umbrella of others, but to seek the systematic dismantling of the world's nuclear arsenal. Hence the value we attach to article VI of the NPT.

We see article VI of the NPT as a mandate for action that would gradually facilitate the matching of the commitments of both nuclear-weapon States and non-signatories to our level. If a CTBT is to be read in the context of

(Mr. Hashim, Bangladesh)

article VI of the NPT, it is appropriate that the treaty text provide a window on nuclear disarmament beyond the test ban. The decision at the NPT Review Conference of 1995 calling for the completion of the negotiations on a CTBT within this year is also placed in the context of the full realization and effective implementation of article VI of the NPT. We now also have the benefit of the advisory opinion of the International Court of Justice, which underlines the obligations of all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its spheres under strict and effective international control.

Bangladesh would like to reiterate that the most effective way to achieve an end to nuclear testing is through the conclusion of a universal, and internationally and effectively verifiable comprehensive nuclear test-ban treaty. We would like to reiterate also that this indispensable step needs to be seen as a part of the striving of the international community for attaining the ultimate goal of a nuclear-weapon-free world.

Concerns expressed by various delegations regarding the provisions in the NTB Chairman's text concerning the composition of the Executive Council of the envisaged Comprehensive Nuclear Test-Ban Treaty Organization, entry into force, and most importantly, on-site inspections (OSI) - especially the envisaged role of national technical means (NTMs) in the verification regime, need to be addressed if we are to have a universal and effective treaty. We strongly advocate that the verification regime, indeed the whole implementation of the treaty, should rely first and foremost on the international monitoring system (IMS). The differential in NTM capacities of States could potentially provide scope for discriminatory, and even abusive practices. We would also like to stress that, should NTMs be given a role in OSI triggering, then NTM sources must also be made subject to the same scrutiny as the International Monitoring System, if not a more stringent one. Bangladesh, of course, welcomes the announcement by the NTB Chairman of the recent developments concerning paragraph 46 of article IV of the text. On the question of environmental protection, we are happy that the Chairman's text has included at least some reference in the preamble. It is also a matter of great satisfaction that there has finally been agreement on the text of the report of the Ad Hoc Committee on a Nuclear Test Ban.

We trust that our views will be received with the same measure of earnestness that these are founded on, considering that as a non-nuclear-weapon State party to the NPT, we are least motivated by a national nuclear agenda, and cannot be cited for past or potential nuclear truancy.

In the NTB Chairman's text, Bangladesh is included in the list of 44 countries whose ratification of the treaty is linked to its entry into force. We are not certain if this gives us cause to celebrate an "élite" status with the major actors in the nuclear context, or to be concerned at the potential notoriety that this inclusion may impart. Since Bangladesh is already bound by its broader commitment under the NPT, a national commitment under a CTBT would perhaps be superfluous; and therefore cannot be a formal condition for its entry into force.

(Mr. Hashim, Bangladesh)

One of the major considerations for us on the CTBT question would be the financial obligations that would devolve on the States parties, both in the interim period following signature, as well as subsequently, when the treaty enters into force. As a least developed country, Bangladesh would have to base its decision, to a large extent, on this budgetary arithmetic - especially if it should mean paying for the cost of a CTBT, which, as stressed earlier, merely reaffirms part of a broader commitment already made in the context of the NPT. We have, therefore, noted with much interest the new suggestions made by a few delegations at the CD on the question of meeting the verification and overhead costs. We also feel that there is need to take a fresh look at this issue. Options that we envisage could include the following: (a) Non-nuclear-weapon States parties to the NPT, which are already bound by a broader and more stringent regime than the envisaged CTBT, and which would therefore be parties to the treaty only to impart a universal character to the CTBT, could be exempted from any financial obligation; (b) Least developed countries could be required to bear only part of the fixed administrative cost of the Organization, calculated at United Nations rates. No assessment would be applicable for either the standing International Monitoring System or the regular verification costs; (c) Since non-nuclear-weapon States parties to the NPT would not in effect be making any new commitment under the CTBT, they may be considered to have automatically acceded to the CTBT, and may not be counted towards entry into force of the CTBT. They may be considered parties to the treaty while outside, and therefore be exempted from any cost-sharing burden under the CTBT.

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador of Bangladesh for his statement and for his kind words to the Chair. I now give the floor to the distinguished Ambassador of Cuba, Ambassador Caballero.

Mr. CABALLERO (Cuba) (translated from Spanish): As announced yesterday by my delegation, I have the honour to address today's plenary of the Conference on Disarmament to make on behalf of my Government a national statement on the draft treaty submitted by the Chairman of the Ad Hoc Committee on a Nuclear Test Ban in document CD/NTB/WP.330/Rev.2.

Although Cuba appreciates the efforts made by Ambassador Ramaker, we deeply regret that the Ad Hoc Committee was unable to produce a draft treaty commanding universal support. Despite the many attempts made to distort the truth and represent certain countries as being responsible for this denouement, we delegations that have been most active in this exercise from the outset are all too familiar with the intransigent position taken by particular nuclear Powers which has prevented the Ad Hoc Committee from carrying out the full mandate assigned to it by this Conference. It stems from a refusal to site this treaty in its proper context - that of non-proliferation and disarmament - or to undertake to achieve nuclear disarmament within a set period and guarantee that the qualitative development of nuclear weapons will not continue, as the international community has demanded at length.

(Mr. Caballero, Cuba)

What is this refusal in response to? What is lurking behind the ambiguities and omissions in the text? Negotiations conducted in good faith and without hidden agendas should be transparent, precise and sincere.

According to the spirit of the mandate, the basic objective of a CTBT should be to ban all nuclear tests in all environments forever, thus hindering the qualitative development of nuclear weapons and the creation of new nuclear-weapon systems.

For that reason it has for Cuba always been a matter of high priority that the treaty should be of sufficient scope to offer some assurance that it would indeed attain this objective.

The want of political will on the part of particular nuclear Powers has prevented any clear statement on this question from being made, even in the preamble. What document CD/NTB/WP.330/Rev.2 in fact contains is another partial test-ban treaty.

It is the practice in treaty law for the preambles of multilaterally negotiated international instruments to reflect the purposes and principles of the negotiations that have taken place.

Cuba, alongside other members of the Group of 21, worked intensively and submitted concrete proposals to try and offset, in the preamble at least, some of the main shortcomings in the body of the draft. Despite our efforts, we did not obtain the results we had hoped for.

The attitude of some delegations was so unconstructive that it proved difficult even to secure the insertion of an extremely weak reference, far removed from the practice in treaty language, to a matter of high priority for the international community - the beneficial impact on the environment of a ban on nuclear explosions.

As regards the use of data obtained by national technical means to trigger on-site inspections, Cuba reiterates its concern at the way such information might be used by virtue of the provisions of the draft treaty.

The relevant clauses not only afford scope for manipulation of national technical means by the main States possessing them but omit to rule out the use of espionage and human intelligence.

On the subject of the Executive Council, we consider it improper to include financial contributions among the criteria for the assignment of seats on this important body. This might constitute a precedent infringing the principle of the sovereign equality of States.

On another matter, Cuba deeply regrets that greater efforts were not made to find a formula for the entry into force of the treaty that took due account of all delegations' legitimate concerns.

(Mr. Caballero, Cuba)

Nor must we overlook the fact that the limitations of the draft take on added relevance against the background of the sizeable financial demands which it is planned to make on States by virtue of the treaty, including the poorest of the third world States which will have to ratify the treaty before it can enter into force.

These, briefly, are some of the comments our Government wished to put clearly on the record in reference to the draft treaty.

In spite of the more exceptionable aspects we have listed, Cuba will not oppose this draft treaty, chiefly because we think that a ban on nuclear explosions is supremely important and represents a step forward, albeit a modest one, in the advance towards nuclear disarmament which is our Government's top priority in its disarmament and international security policy.

The Government of Cuba will make a thorough study of the contents of this document and will in due course determine on that basis its final position on it. A copy of this statement will be submitted to the secretariat for its inclusion in the report that we hope will be adopted shortly by the Ad Hoc Committee on a Nuclear Test Ban.

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador of Cuba for his statement. I now give the floor to the distinguished representative of the Islamic Republic of Iran, Ambassador Nasseri.

Mr. NASSERI (Islamic Republic of Iran): I am taking the floor today to make a brief statement reflecting our views and positions on the Comprehensive Test Ban Treaty.

It appears that the Ad Hoc Committee will not be able to present a consensus text to the Conference on Disarmament. It is profoundly regrettable that the long-awaited aspiration of the international community to arrest the quantitative and qualitative development of nuclear weapons will not be met. None of us ever underestimated the difficulties involved in the work entrusted to the Conference on Disarmament and through it to the Ad Hoc Committee on a Nuclear Test Ban. But, then, none of us anticipated a failure either.

The appalling fact here is that failure could be avoided. It was never understood, nor I believe will it ever be, why, how and where a decision was made that the negotiations should cease abruptly and be replaced by an accelerated move towards deadlock.

We have come a long, long way. The draft treaties proposed by the Islamic Republic of Iran, Australia and eventually by the Chairman have contributed to minimizing the problem areas to a handful. Instead of dealing, therefore, with the more than 1,000 brackets - which had remained stubbornly on the table for a long time - we are, in practical terms, faced with no more than three or four small brackets at this late stage.

(Mr. Nasseri, Islamic Republic of Iran)

One critical issue, of course, is nuclear disarmament. Many delegations are dissatisfied with the text, particularly after limitations imposed on the scope which seriously questions the comprehensive nature of the treaty demanded by the mandate. The minimum here is to reiterate a commitment to a phased programme with agreed time-frames to eliminate nuclear weapons. On the verge of convening SSOD.4, we cannot see why a commitment, which has already enjoyed consensus ever since SSOD.1, cannot be renewed.

On national technical means, the changes that have been made in the text in line with the Chinese proposal have been helpful. However, the devastating record of certain States in utilizing national means to spread false accusations as pretext for extraterritorial application of their national positions raises serious scepticism and concern about this issue. We do not disagree that data received from the International Monitoring System could be combined with that from national technical means in requesting on-site inspection. What troubles us in the text is to designate a status to national technical means equal to that of an IMS with such extensive and elaborate networks.

We stress that national technical means apply provisionally and only to explosions not currently covered by the IMS. We also reiterate that national technical means, as referred to in the text, should not and could not be interpreted in any way to include information received from espionage and human intelligence, as this would run contrary to generally recognized principles of international law.

On the composition of the Executive Council, we were stunned to see in the Chairman's text a listing that would obviously raise a political problem not related to CTBT and therefore not called for.

Let me recall here that the text that was under consideration had Israel listed in the Western Group, just as is the case in many international forums. For reasons unclear to us, the Western Group shut the door on Israel here and moved it to our group without our consent. It was only appropriate, therefore, to move Israel back to the West and resolve this problem. However, noting the resistance by apparently one or two western States to accept Israel's return to their group, we went along with the suggestion to allow the Conference of the States Parties to redraw this list when it convenes, hence removing an obstacle in the way of reaching a consensus.

In short, as far as we are concerned, consensus could be easily reached with small changes in the text, as reflected at the end of this statement. However, a unilateral decision by some nuclear Powers to block any change in the text proposed by the Chairman has, so far, given rise to an impasse.

Let me restate here that we are plagued by a prevailing notion in various negotiations at the CD that those who possess and use, or are prepared to use, nuclear weapons and other weapons of mass destruction enjoy a privileged status. Others are always presumed to be ready to compromise on their

(Mr. Nasseri, Islamic Republic of Iran)

national interests and positions in favour of these Powers. We have suffered in the past, are suffering now, and are bound to suffer again in the future from this notion.

I reported in my previous statement to this plenary on the precarious situation the Chemical Weapons Convention has fallen into in the face of failure so far by the two CW States, the United States and the Russian Federation, to ratify that treaty despite the fact that it was tailored to fit their positions. The same is likely to happen to the CTBT as there are now strong indications of opposition to the CTBT by the existing majority in the United States Congress. Doubts therefore exist already on the eventual ratification of the treaty by the nuclear-weapon States. This despite the fact that they have been setting the terms and drawing the limits on the most critical issues and dictating procedures at crucial stages, particularly during the last phase of our work.

Many delegations have expressed dissatisfaction in their assessment of the draft treaty. Instead of rejoicing at the conclusion of the CTBT, 28 non-aligned members of the CD have thus asked for cessation of all nuclear-weapon tests and closure of all nuclear-weapon test sites within their proposed programme of action for elimination of nuclear weapons (CD/1419 of 7 August 1996). It is evident that they find the current text fails to fulfil the established objective of a comprehensive test ban.

We want the CTBT to succeed. We have demonstrated this by contributing at every step to resolve outstanding problems. We also want to be able to sign the treaty. We can go along with nearly all parts of the text presented by Ambassador Ramaker, although not all of it may be to our liking or satisfaction. But, the remaining issues I have mentioned prevent us from lending our support to it.

I stress, however, that the remaining issues can be resolved. It does not require much ingenuity nor much time. It only requires sincere will. The Ad Hoc Committee was mandated to negotiate a universal treaty. That, in turn, requires a text that is agreeable to all. No effort, therefore, should be spared to ensure this. The Conference on Disarmament has, on many occasions in the past, demonstrated its ability to surmount the seemingly insurmountable. It must be allowed to do so again here and now.

The following are our proposed changes:

1. Amend the fourth paragraph of the preamble to read as follows:

> "Stressing therefore the need for continued systematic and progressive efforts to reduce nuclear weapons globally, <u>through negotiations on a comprehensive phased programme with agreed time-frames</u>, with the ultimate goal of eliminating those weapons, and of general and complete disarmament under strict and effective international control,";

(Mr. Nasseri, Islamic Republic of Iran)

2. Amend paragraph 37 of article IV to read as follows:

"The on-site inspection request shall be based on information collected by the International Monitoring System, which may be combined with any relevant technical information obtained by national technical means of verification in a manner consistent with generally recognized principles of international law. The request shall contain information pursuant to Part II, paragraph 41, of the Protocol."

3. Remove Israel from the Middle East and South Asia group and include it in the North America and Western Europe group.

The PRESIDENT (translated from Spanish): I thank the distinguished representative of the Islamic Republic of Iran for his statement. I now give the floor to the distinguished representative of Turkey, Ambassador Uluçevik.

Mr. ULUÇEVIK (Turkey): Sir, since this is the first time that my delegation is taking the floor under your presidency, I would like to congratulate you on your assumption of the presidency of the Conference on Disarmament and assure you of my delegation's cooperation.

Today I have asked for the floor to bring to the knowledge of the Conference a statement issued by the Ministry of Foreign Affairs of Turkey on 14 August 1996 on the CTBT negotiations.

By your leave, Sir, I would like to read out the unofficial translation from Turkish into English of that statement, as follows:

"The most significant and priority task before the Conference on Disarmament is to expeditiously bring to conclusion the work on the text of the comprehensive nuclear test-ban treaty, so that it could be open for signature at the forthcoming fifty-first session of the United Nations General Assembly.

That draft treaty presented by the Chairman of the Ad Hoc Committee on a Nuclear Test Ban as a result of more than two years of negotiations in the Conference on Disarmament, is a compromise text reflecting a delicate balance among various interests.

Consultations which have been held in the CD have demonstrated the validity of concerns that reopening the text for further negotiations would jeopardize compromises achieved with great difficulty.

Turkey, in keeping with its policy on the issue of non-proliferation of nuclear weapons, supports the Ad Hoc Committee Chairman's draft treaty, which constitutes an important milestone from the perspective of nuclear disarmament, and also endorses the objective of its submission for signature to the fifty-first session of the United Nations General Assembly. Turkey believes that in order not to fail justified expectations of world public opinion, it is the task of CD members to achieve this objective."

The PRESIDENT (translated from Spanish): I thank the distinguished representative of Turkey for his statement and for his kind words to the Chair. I give the floor to the distinguished representative of Australia, Ambassador Starr.

Mr. STARR (Australia): I wanted to take the floor to express appreciation to my colleague the Ambassador of Chile for the reference to the Canberra Commission report. I think my colleagues in the Conference would be interested to know - if they don't already of course - that the Commission's report, that is, the report of the Canberra Commission on the Elimination of Nuclear Weapons, was delivered to the Australian Government this week. This report, which was produced by an independent group of eminent people with extensive knowledge and experience of the subject-matter of disarmament, contains much thought-provoking material of a practical and realistic kind and which we expect will prove to be a constructive contribution to the debate on disarmament and non-proliferation.

The report is now publicly available. Given its scope, I will not attempt to summarize it here, but intend to circulate shortly a paper containing an executive summary and associated material. I can mention for those who are computer-literate amongst us that the report is on the Internet, but I would warn them before they rush to download this report that it runs to 120 pages. I will have hard copies available for the non-computer-literate later this month.

May I conclude by saying that the Australian Government intends to present the report to the General Assembly later this year and to the Conference on Disarmament at the beginning of its 1997 session.

The PRESIDENT (translated from Spanish): I thank the distinguished Ambassador of Australia for his statement and for the information that he provided.

I have no more speakers on the list for today. Would any other delegation like to take the floor? Apparently not. With your permission, then, I will make a closing statement, as Peru's term of office as President is coming to an end.

As this is the last plenary meeting that I shall have the honour of chairing, allow me to make a few brief comments. When I assumed the presidency of the Conference on Disarmament, I said that this Conference was at a crucial stage in its history because the negotiations on a comprehensive test-ban treaty had entered the home stretch. Now, some six weeks later, I consider that the Conference is still at a crucial stage because it will have to decide within the next few days and hours on the course that the draft test-ban treaty should follow. In this context, I cherish the hope that the international community will be able to have a treaty like the CTBT, although I understand and respect the concerns expressed by some delegations which consider that the draft text that we have before us does not correspond to their national interests. It is important to emphasize that the Conference,

(The President)

as the sole multilateral negotiating forum on disarmament, must respond to the aspirations of the international community, an international community that is expecting from this body real and concrete results.

I also spoke on the same occasion of my firm resolve to continue the consultations initiated by my predecessors on matters of prime importance for the future work of the Conference. With regard to nuclear disarmament, I felt it necessary to continue consultations in order to find consensus on this subject. With regard to the agenda and future programme of work of the Conference, we have before us the report submitted last May by the distinguished Ambassador of Algeria, Ambassador Meghlaoui, special coordinator on this subject, and we are awaiting the outcome of the consultations that are still going on with the various groups. Likewise, under my presidency I began consultations on the possibility of appointing a special coordinator or Friend of the Chair to deal with the consideration of a possible future expansion of membership of the Conference. These consultations will have to go on because they are still in a preliminary phase.

I regret having to hand over these outstanding issues to my successor, the incoming President, Ambassador Dembinski of Poland, and I hope that the efforts that have been made thus far will bear fruit under his presidency. I wish Ambassador Dembinski every success in his office and I offer him my delegation's full support.

Lastly, I wish to thank Mr. Vladimir Petrovsky, Secretary-General of the Conference and Personal Representative of the United Nations Secretary-General, Mr. Abdelkader Bensmail, Deputy Secretary-General, and the team in the secretariat for their valuable support and their services to the CD.

At my request, the secretariat has distributed the tentative timetable of meetings for next week. This timetable has been drawn up in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban; as usual, it is merely indicative and subject to change if necessary. May I take it that this timetable is acceptable?

It was so decided.

The PRESIDENT (translated from Spanish): According to this timetable, the next plenary meeting of the Conference on Disarmament will be held on Tuesday, 20 August at 10 a.m. Before adjourning this meeting, I would like to remind delegations that yesterday the Ad Hoc Committee decided to meet immediately after it in this room.

The meeting rose at 11.30 a.m.